

STEVEN G. KALAR
Federal Public Defender
VARELL L. FULLER
Assistant Federal Public Defender
55 South Market Street, Suite 820
San Jose, CA 95113
Telephone: (408) 291-7753

EXHIBIT E

Counsel for Defendant CRUTCHFIELD

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR-14-00051 RMW
)	
Plaintiff,)	STIPULATION AND []
)	ORDER CONTINUING HEARING DATE
vs.)	AND MOTIONS SCHEDULE AND
)	EXCLUDING TIME UNDER THE SPEEDY
JUSTIN EVERETT CRUTCHFIELD and)	TRIAL ACT
DEMONTAE TERELL TOLIVER,)	
)	
Defendants.)	

STIPULATION

Defendant Justin Crutchfield, by and through Assistant Federal Public Defender Varell L. Fuller; defendant Demontae Toliver, by and through attorney Jay Rorty; and the United States, by and through Assistant United States Attorney Amie D. Rooney, hereby stipulate that, with the Court's approval, the motions hearing currently set for Monday, April 13, 2015, shall be continued to Monday, May 11, 2015, at 9:00 a.m.

In addition, the parties stipulate and agree to the following modified briefing schedule: The defendants' motions shall be due on Monday, April 13, 2015; the government's response shall be due on Monday, April 27, 2015; and the defendants' reply, if any, shall be due on

Monday, May 4, 2015.

The reasons for the requested continuance are to enable the parties to pursue the possibility of a pretrial resolution, to accommodate government counsel's trial schedule, and to provide defense counsel with the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

The parties agree that the time between April 13, 2015, and May 11, 2015, is excludable under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO STIPULATED

Dated: March 3, 2015

_____/s/_____
VARELL L. FULLER
Assistant Federal Public Defender
Counsel for defendant Crutchfield

Dated: March 3, 2015

_____/s/_____
AMIE D. ROONEY
Assistant United States Attorney

Dated: March 3, 2015

_____/s/_____
JAY RORTY
Counsel for defendant Toliver

[] ORDER_____

GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY ORDERED that the hearing currently sets for Monday, April 13, 2015, shall be continued to Monday, May 11, 2015, at 9:00 a.m.

IT IS FURTHER ORDERED that the briefing schedule for pretrial motions shall be as follows: Defendants' motions are due on Monday, April 13, 2015. The government's response

1 is due on Monday, April 27, 2015. The defendants' reply, if any, is due on Monday, May 4,
2 2015.

3 THE COURT FINDS that failing to exclude the time between April 13, 2015, and May
4 11, 2015, would unreasonably deny continuity of counsel and would unreasonably deny counsel
5 the reasonable time necessary for effective preparation, taking into account the exercise of due
6 diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

7 THE COURT FURTHER FINDS that the ends of justice served by excluding the time
8 between April 13, 2015, and May 11, 2015, from computation under the Speedy Trial Act
9 outweigh the interests of the public and the defendants in a speedy trial.

10 THEREFORE, IT IS HEREBY ORDERED that the time between April 13, 2015, and
11 May 11, 2015, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
12 3161(h)(7)(A) and (B)(iv).

13 IT IS SO ORDERED.

14 Dated: ~~HEH~~


THE HONORABLE RONALD M. WHYTE
United States District Court Judge